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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,257	09/05/2004	Chi-Jen Huang	HANP0004USA	5256
27765 7590 06/01/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER WON, BUMSUK	
			ART UNIT 2879	PAPER NUMBER
			NOTIFICATION DATE 06/01/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/711,257

Applicant(s)

HUANG ET AL.

Examiner

Bumsuk Won

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/3/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Election/Restrictions***

Applicant's election of claims 1-20 in the reply filed on 5/2/2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the protruding structure, bevel, screws and tenons must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 6-20 are objected to because of the following informalities: In claim 6, line 4, "the external electrode" should be "an external electrode". Appropriate correction is required. Claims 7-20 are objected to due to claim dependency.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5, 9-11, 14-16 and 20 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 5 and 20, the Examiner is confused how the first and the second fixing devices are fixed together with screws and tenons since there are no drawings or part of specification that explains specifically how and where the fixing devices are fixed.

Regarding claims 9 and 14, the Examiner is confused in regarding the term "tightly" in the claims due to the indefiniteness of the term.

Regarding claims 10 and 15, the Examiner is confused in regarding the claim limitation of protruding structure. Even though the paragraph 20 of the specification briefly recites "protruding structure", the claim limitation is indefinite since there are no drawings or description in the specification.

Regarding claims 11 and 16, the Examiner is confused in regarding the claim limitation of bevel. Even though the paragraph 20 of the specification briefly recites "bevel", the claim limitation is indefinite since there are no drawings or description in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 12-14 and 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Moon (2003/0021114).

Regarding claim 1, Moon discloses a backlight module (figures 4A-9B) comprising an external electrode lamp (31) having an external electrode (paragraph 37, "electrodes formed at opposite ends at outside surfaces of a tube"); an inverter (paragraph 37, "applying power to the light emitting lamps 31") for providing power to the external electrode lamp; and a clamp structure (figures 4A-9B) for clamping the external electrode, comprising: a first fixing device (43a) comprising a first indentation (45); a second fixing device (41a) comprising a second indentation (45), wherein the first and second indentations are used for clamping the external electrode of the external electrode lamp (figures 4A-9B); a metal strip (50, 47a-47d) connected to the inverter (figure 4c, connected via 61) and located between the first and the second fixing devices (between 41a and 43a) comprising an electrical junction (figure 4D, between lamp 31 and metal strip 47) that is connected to the external electrode (outside of 31) for providing power to the external electrode (paragraph 37).

Regarding claim 2, Moon discloses the metal strip (50, 47a-47d) is located between the first indentation (45) and the external electrode (outside of 31).

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Regarding claim 3, Moon discloses the metal strip (50, 47a-47d) is located between the second indentation (45) and the external electrode (outside of 31).

Regarding claim 4, Moon discloses a cushion (55) surrounding the external electrode (outside of 31) and is located between the first and the second fixing devices (between 41a and 43a).

Regarding claim 5, the examiner notes that the claim limitation of the first and the second fixing devices being fixed by screws and tenons is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (MPEP 2113).

Regarding claim 6, Moon discloses a clamp structure (figures 4A-9B) comprising:

a first fixing device (43a) comprising a first indentation (45);

a second fixing device (41a) comprising a second indentation (45), wherein the first and second indentations are used for clamping the external electrode of the external electrode lamp (figures 4A-9B);

a metal strip (50, 47a-47d) connected to the inverter (figure 4c, connected via 61) and located between the first and the second fixing devices (between 41a and 43a) comprising an electrical junction (figure 4D, between lamp 31 and metal strip 47) that is connected to the external electrode (outside of 31) for providing power to the external electrode (paragraph 37).

Regarding claim 7, Moon discloses the metal strip (50, 47a-47d) is located between the first indentation (45) and the external electrode (outside of 31).

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Regarding claims 8 and 9, Moon discloses the electrical junction (figure 4D, between lamp 31 and metal strip 47) of the metal strip (47) corresponds to the first indentation (45) of the first fixing device.

Regarding claim 12, Moon discloses the metal strip (50, 47a-47d) is located between the second indentation (45) and the external electrode (outside of 31).

Regarding claims 13 and 14, Moon discloses the electrical junction (figure 4D, between lamp 31 and metal strip 47) of the metal strip (47) corresponds to the second indentation (45) of the second fixing device.

Regarding claim 17, Moon discloses a cushion (55) is located between the external electrode (outside of 31) and the first fixing device.

Regarding claim 18, Moon discloses a cushion (55) is located between the external electrode (outside of 31) and the second fixing device.

Regarding claim 19, Moon discloses a cushion (55) surrounding the external electrode (outside of 31) and is located between the first and the second fixing devices (between 41a and 43a).

Regarding claim 20, the examiner notes that the claim limitation of the first and the second fixing devices being fixed by screws and tenons is drawn to a process of manufacturing which is incidental to the claimed apparatus. It is well established that a claimed apparatus cannot be distinguished over the prior art by a process limitation. Consequently, absent a showing of an unobvious difference between the claimed product and the prior art, the subject product-by-process claim limitation is not afforded patentable weight (MPEP 2113).

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Contact information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bumsuk Won whose telephone number is 571-272-2713. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bumsuk Won/

Patent Examiner, Art Unit 2879


JOSEPH WILLIAMS
PRIMARY EXAMINER